

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SCOTT POWERS,	:	
	:	
Plaintiff,	:	20 Civ. 2625 (LGS)
	:	
-against-	:	<u>ORDER</u>
	:	
MEMORIAL SLOAN KETTERING CANCER	:	
CENTER, et al.,	:	
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on March 14, 2023, the final pre-trial conference was held. On March 16, 2023, Defendants filed a letter raising various issues from the conference, at Dkt. 427. Points 2 and 4 are addressed in a separate order regarding Plaintiff's exhibits. It is hereby

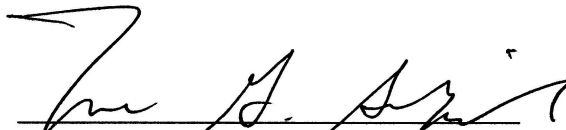
**ORDERED** that Defendants' objection to P-197 is **OVERRULED** as moot in light of Plaintiff's representation that he withdraws this exhibit. It is further

**ORDERED** that Defendants' objection to Dr. Shah's expert testimony is **OVERRULED**. However, Dr. Shah may present only non-cumulative testimony in Plaintiff's direct case. It is further

**ORDERED** that Defendants' request for accommodations for the Passover holiday is **GRANTED**. Defendants' experts Dr. Bernstein and Dr. Fischman may testify on April 10, 2023. Trial will end early on April 5th and April 6th to accommodate any jurors celebrating Passover. The Court will instruct the jury of this accommodation during the first day of trial.

Decision is reserved on Points 1 and 6.

Dated: March 20, 2023  
New York, New York

  
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LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE